REMARKS

Claims 1, 2, 4-8, 10-12, 14-18 and 20 remain pending in this application. Claims 1, 7, 11 and 17 are amended. Claims 3, 9, 13 and 19 are cancelled. Claims 2, 4-6, 8, 10, 12, 14-16, 18 and 20 remain unchanged.

35 U.S.C. §102

Claims 1-2, 4-8, 11-12 and 14-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by Aristides et al. (US Pat. No. 5,630,119). For a reference to anticipate a claimed invention, each and every element of the claim must be found in the reference.

Claim 1 is amended to recite, inter alia, "A method for providing a program guide, the method comprising the steps of...acquiring program guide data from a content provider...locally storing the acquired program guide data...   transmitting a subset of the locally stored program guide data to a remote terminal...receiving a request for an update to the subset from the remote terminal, wherein the update request is generated due to a channel change...accessing the locally stored program guide to create the requested update...and transmitting the update to the remote terminal." (Emphasis added). As noted by the examiner, Aristides et al. does not teach "the update request is generated due to a channel change". As a result, amended claim 1 contains an element not found in Aristides et al. Therefore, it is respectfully proposed that the rejection of amended claim 1 under 35 U.S.C. § 102(b) is overcome in accordance with the above amendment and remarks and notice to that effect is earnestly solicited.

Claims 2 and 4-6 depend from amended claim 1, or depend from claims depending from amended claim 1, should therefore also be allowable for the same reasons, as well as for the additional recitation contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Independent claim 7 is amended to include elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it

is respectfully proposed that the rejection for anticipation is overcome. Claim 8 being dependent on and further limiting independent claim 7, should be allowable for that reason, as well as for the additional recitations contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Independent claim 11 is amended to include elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection for anticipation is overcome. Claims 12, 14-16 being dependent on and further limiting independent claim 11, should be allowable for that reason, as well as for the additional recitations contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Independent claim 17 is amended to include elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Therefore, it is respectfully proposed that the rejection for anticipation is overcome. Claim 18 being dependent on and further limiting independent claim 17, should be allowable for that reason, as well as for the additional recitations contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

35 U.S.C. §103

Claims 1 is amended to include the elements recited in canceled claim 3. Claim 3 stood rejected under 35 U.S.C. §103(a) as being unpatenable over Aristides et al. (US Pat. No. 5,630,119) in view of Wasilewski (US Pat. No. 5,630,119).

As discussed above claim 1 is amended to recite, inter alia, "A method for providing a program guide, the method comprising the steps of...acquiring program guide data from a content provider...locally storing the acquired program guide data...transmitting a subset of the locally stored program guide data to a remote terminal...receiving a request for an update to the subset from the remote terminal, wherein the update request is generated due to a channel change...accessing the locally

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stored program guide to create the requested update...and transmitting the update to the remote terminal." (Emphasis added).

The office action states that Aristides et al. does not teach "the update request is generated due to a channel change" element of amended claim 1 but proposes that Wasilewski teaches "the update request is generated due to a channel change" element missing in Aristides et al. Applicants respectfully disagree. Wasilewski, at column 8, lines 60-64) merely teaches frequent retransmission of each virtual service definition so a coder can acquire the appropriate definition when a subscriber selects a new virtual service number such as when the subscriber changes channels. In other words, Wasilewski teaches frequent transmission of virtual service numbers so a virtual service number is more likely to be available due to the frequent transmission of the virtual service numbers. Therefore, Wasilewski does not teach the "the update request is generated due to a channel change" element of amended claim 1. As a result neither Aristides et al. nor Wasilewski, either alone or combined, teach the "the update request is generated due to a channel change" element of amended claim 1. Accordingly, it is respectfully proposed that the rejection of amended claim 1 under 35 U.S.C. § 103(a) is overcome in accordance with the above amendment and remarks and notice to that effect is earnestly solicited.

Independent claims 7, 11 and 17 are amended to include elements similar to the elements of amended independent claim 1 and should therefore be allowable for the same reasons discussed above as well as for the additional recitations contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

Dependent claims 10 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatenable over Aristides et al. (US Pat. No. 5,630,119) in view of Stoel e al. (US Pat. No. 5,905,942). Claim 10 being dependent on and further limiting amended independent claim 7, should be allowable for that reason, as well as for the additional recitations contained therein. Claim 20 being dependent on and further limiting amended independent claim 17, should be allowable for that reason, as well as for the additional recitations contained therein. Applicants respectfully requests reconsideration of the rejection of the claims in view of the above remarks.

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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (317) 587-4027, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due other than the fees discussed above. However, if an additional fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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